

**SECOND REQUEST FOR CORRECTED FILING RECEIPT**

Applicant : Jin, et al.  
Appl. No. : 10/566,829  
Filed : January 31, 2006  
For : PHARMACEUTICAL  
COMPOSITION FOR ORAL  
ADMINISTRATION  
Art Unit : 1614

Commissioner for Patents  
P.O. Box 1450  
Office of Initial Patent Examination  
Customer Service Center  
Alexandria, VA 22313-1450

Dear Sir:

On March 13, 2007, Applicants requested that the foreign priority application information be added to the filing receipt and a Corrected Filing Receipt be issued. To date, we have not received a copy of the requested Receipt. The subject application claims priority under 37 U.S.C. § 119 to application no. JP 2004-205043, filed on July 12, 2004. We attach copies of the first request and the supporting documentation as filed on March 13, 2007. Please make the requested change and issue a new Receipt accordingly.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: Oct. 5, 2007

By:



Che Swyden Chereskin, Ph.D.  
Registration No. 41,466  
Agent of Record  
Customer No. 20,995  
(949) 760-0404

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Jin, et al.  
 Appl. No. : 10/566,829  
 Filed : January 31, 2006  
 For : PHARMACEUTICAL  
 COMPOSITION FOR ORAL  
 ADMINISTRATION  
 Examiner : Unknown

Group Art Unit 1614

## CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

March 13, 2007

(Date)


  
 Che Swyden Chereskin, Ph.D., Reg. No. 41,466
REQUEST FOR CORRECTED FILING RECEIPT

Commissioner for Patents  
 P.O. Box 1450  
 Office of Initial Patent Examination  
 Customer Service Center  
 Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby request that the Official Filing Receipt, a copy of which is enclosed, be corrected to reflect the foreign priority application data. This application claims priority under 37 U.S.C. § 119 to application no. JP 2004-205043, filed on July 12, 2004. Please insert the correct information appropriately. Supporting document is provided.

Respectfully submitted,

KNOBBE, MARTENS, OLSON &amp; BEAR, LLP

Dated: March 13, 2007

By: Che S. Chereskin  
 Che Swyden Chereskin, Ph.D.  
 Registration No. 41,466  
 Agent of Record  
 Customer No. 20,995  
 (949) 760-0404



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO
10/566,829	01/31/2006	1614	900	TOYA145.001APC

CONFIRMATION NO. 7514

20995  
KNOBBE MARTENS OLSON & BEAR LLP  
2040 MAIN STREET  
FOURTEENTH FLOOR  
IRVINE, CA92614

FILING RECEIPT

Date Mailed: 03/08/2007

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Chikara Jin, Saitama-shi, JAPAN;  
Noboru Tatsumi, Takamatsu-shi, JAPAN;  
Masatake Dairaku, Saitama-shi, JAPAN;  
Fuminori Fukushima, Saitama-shi, JAPAN;  
Toshio Shimizu, Saitama-shi, JAPAN;  
Mitsuo Togashi, Saitama-shi, JAPAN;  
Hiroshi Ninomiya, Saitama-shi, JAPAN;

Power of Attorney: The patent practitioners associated with Customer Number 20995

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/JP05/12835 07/12/2005

Foreign Applications

S/6 JP 2004-205043 07/12/2004

If Required, Foreign Filing License Granted: 02/23/2007

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/566,829**

Projected Publication Date: 06/07/2007

Non-Publication Request: No

Early Publication Request: No

**Title**

Pharmaceutical composition for oral administration

**Preliminary Class**

514

## PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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### LICENSE FOR FOREIGN FILING UNDER

**Title 35, United States Code, Section 184**

**Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under

37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

**DECLARATION AND POWER OF ATTORNEY - USA PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

Pharmaceutical Composition for Oral Administration

the specification of which:

(a)  is attached hereto; or

(b)  was filed on \_\_\_\_\_ as Application

No. \_\_\_\_\_ or Express Mail No., as Application No. not

yet known \_\_\_\_\_ and was amended

on \_\_\_\_\_ (if applicable); or

(c)  was described and claimed in PCT International Application No.

PCT/JP2005/012835 filed on July 12, 2005

and as amended under PCT Article 19 on \_\_\_\_\_

(if any) and/or under PCT Article 34 on \_\_\_\_\_ (if any).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56;

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent, design or inventor's certificate or any PCT international application(s) listed below and have also identified below any foreign application(s) for patent, design or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed for the same subject matter having a filing date before that of the application(s) of which priority is claimed:

**PRIOR FOREIGN APPLICATION(S)**

COUNTRY (OR INDICATE IF PCT)	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 37 U.S.C. § 119	
Japan	2004-205043	12, July, 2004	<input checked="" type="radio"/> YES	NO <input type="radio"/>
			<input type="radio"/> YES	NO <input type="radio"/>
			<input type="radio"/> YES	NO <input type="radio"/>
			<input type="radio"/> YES	NO <input type="radio"/>

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below, and insofar as the subject matter of each of the claims of this application is not disclosed in the prior

United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U.S.A. Application(s)

Application No.: \_\_\_\_\_ Filing Date: \_\_\_\_\_ Status: \_\_\_\_\_

POWER OF ATTORNEY: I hereby appoint the registrants of Knobbe, Martens, Olson & Bear, LLP, 620 Newport Center Drive, Sixteenth Floor, Newport Beach, California 92660, Telephone (949) 760-0404, Customer No. 20,995.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: Chikara JIN

Inventor's signature Chikara Jin Day 29 Month November Year 2005

Residence (city and country): Saitama-shi, Japan

Citizenship: Japanese

Post Office Address: c/o TEIKOKUMEDIX CO., LTD., 51, Sanjo-machi, Nishi-ku, Saitama-shi, Saitama 331-0056 Japan

Full name of second inventor: Noboru TATSUMI

Inventor's signature Noboru Tatsumi Day 14 Month December Year 2005

Residence (city and country): Takamatsu-shi, Japan

Citizenship: Japanese

Post Office Address: 2493-5, Yashimanishi-machi, Takamatsu-shi, Kagawa 761-0113 Japan

Full name of third inventor: Masatake DAIRAKU

Inventor's signature Masatake Dairaku Day 29 Month November Year 2005

Residence (city and country): Saitama-shi, Japan

Citizenship: Japanese

Post Office Address: c/o TEIKOKUMEDIX CO., LTD., 51, Sanjo-machi, Nishi-ku, Saitama-shi, Saitama 331-0056 Japan

Full name of fourth inventor: Fuminori FUKUSHIMA

Inventor's signature Fuminori Fukushima Day 29 Month November Year 2005

Residence (city and country): Saitama-shi, Japan

Citizenship: Japanese

Post Office Address: c/o TEIKOKUMEDIX CO., LTD., 51, Sanjo-machi, Nishi-ku, Saitama-shi, Saitama 331-0056 Japan

Full name of fifth inventor: Toshio SHIMIZU

Inventor's signature TOSHIO SHIMIZU Day 7 Month December Year 2005

Residence (city and country): Saitama-shi, Japan

Citizenship: Japanese

Post Office Address: c/o TEIKOKUMEDIX CO., LTD., 51, Sanjo-machi, Nishi-ku, Saitama-shi, Saitama 331-0056 Japan

Full name of sixth inventor: Mitsuo TOGASHI

Inventor's signature Mitsuo Togashi Day 29 Month November Year 2005

Residence (city and country): Saitama-shi, Japan

Citizenship: Japanese

Post Office Address: c/o TEIKOKUMEDIX CO., LTD., 51, Sanjo-machi, Nishi-ku, Saitama-shi, Saitama 331-0056 Japan

Full name of seventh inventor: Hiroshi NINOMIYA

Inventor's signature Hiroshi Ninomiya Day 8 Month December Year 2005

Residence (city and country): Saitama-shi, Japan

Citizenship: Japanese

Post Office Address: c/o TEIKOKUMEDIX CO., LTD., 51, Sanjo-machi, Nishi-ku, Saitama-shi, Saitama 331-0056 Japan

Send Correspondence To:

KNOBBE, MARTENS, OLSON & BEAR, LLP

Customer No. 20,995

PF-33

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Jin, et al.
Int'l Appl. No.	:	PCT/JP2005/012835
Int'l filing date	:	July 12, 2005
For	:	PHARMACEUTICAL COMPOSITION FOR ORAL ADMINISTRATION (amended)
Examiner	:	unknown
Group Art Unit	:	unknown

## PRELIMINARY AMENDMENT

**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Preliminary to examination on the merits, please amend the above-captioned U.S. application as follows.

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Remarks/Arguments** begin on page 5 of this paper.

Int'l Appl. No. : PCT/JP2005/012835  
Int'l filing date : July 12, 2005

## AMENDMENTS TO THE SPECIFICATION

*Please amend the title as follows:*

MEDICINAL PHARMACEUTICAL COMPOSITION FOR ORAL USEADMINISTRATION

*On page 1 of the Specification, after the Title of the Invention and before the Technical Field statement starting on line 1, please insert the following section:*

### Related Applications

This application is the U.S. National Phase under 35 U.S.C. § 371 of International Application PCT/JP2005/012835, filed July 12, 2005, which was published in a language other than English, which claims priority of JP 2004-205043, filed July 12, 2004.

*On page 32 before Claim 1, please amend as follows:*

WHAT IS CLAIMED IS: CLAIMS